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WAYNE CHAN
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IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYNE CHAN, et al.,
Plaintiffs,
v.

JPMORGAN CHASE BANK, N.A.,
Defendant.

) Case No. 16-cv-02497-EMC
)
) **SECOND STIPULATION TO CONTINUE**
) **CASE MANAGEMENT CONFERENCE;**
) **~~PROPOSED~~ ORDER**

1 WHEREAS, on April 6, 2016, Plaintiffs filed this action against Defendant JPMorgan
2 Chase Bank, N.A. ("Chase") in the California Superior Court, San Mateo County;

3 WHEREAS, May 9, 2016, Chase removed this action to this Court;

4 WHEREAS on July 21, 2016, Plaintiffs filed a First Amended Complaint ("FAC");

5 WHEREAS, on July 14, 2016, Plaintiffs submitted a loan modification application to
6 Chase for consideration;

7 WHEREAS, on July 22, 2016, the Parties stipulated to stay this action for 90 days pending
8 the outcome of Plaintiffs' loan modification review;

9 WHEREAS, on July 22, 2016, the Court entered the stay, and ordered the parties to submit
10 a status report within 90 days, advising the Court of (a) the status of Plaintiffs' loan modification
11 application; and the (b) the parties' positions on whether the stay should remain in force or active
12 litigation resumed.

13 WHEREAS on October 19, 2016, the Parties stipulated to extend the stay of this action 90
14 days pending the outcome of Plaintiffs' loan modification review;

15 WHEREAS on October 20, 2016, the Court entered the stay, and scheduled a Case
16 Management Conference for January 26, 2017, ordering a Case Management Conference
17 Statement be filed by January 19, 2017.

18 WHEREAS on February 8, 2017, Plaintiffs filed a Notice of Settlement of Case, notifying
19 the Court that the Parties had settled this matter.

20 WHEREAS on February 9, 2017, the Court continued the Case Management Conference
21 from March 30, 2017 to April 27, 2017.

22 WHEREAS, since then, Plaintiffs and Defendants are merely awaiting final execution of
23 the settlement agreement and performance thereunder and anticipate that the settlement will be
24 fully effectuated in the next thirty days.

25 NOW THEREFORE, Plaintiffs and Chase HEREBY STIPULATE AND AGREE AS
26 FOLLOWS:

27 1. The Case Management Conference, scheduled for April 27, 2017 be continued
28 approximately thirty (30) days until May 25, 2017.

1 IT IS SO STIPULATED.

2 DATED: April 18, 2017

3 DAVIS WRIGHT TREMAINE LLP
4 Joseph E. Addiego III
5 John D. Freed

6 By: /s/ John D. Freed
7 John D. Freed

8 Attorneys for Defendant
9 JPMORGAN CHASE BANK, N.A.

10 MELLEN LAW FIRM
11 Jessica Galletta

12 By: /s/ Jessica Galletta
13 Jessica Galletta

14 One Embarcadero Center, Fifth Floor
15 San Francisco, CA 94111
16 Attorneys for Plaintiffs

17 **CERTIFICATION OF CONCURRENCE**

18 Pursuant to L.R. 5-1, I hereby attest that John Freed has provided his concurrence in the
19 electronic filing of the foregoing document entitled STIPULATION TO CONTINUE CASE
20 MANAGEMENT CONFERENCE; [PROPOSED] ORDER.

21
22
23 /s/ Jessica Galletta
24 Jessica Galletta

1 **[~~PROPOSED~~] ORDER**

2 Presently before the Court is the parties' Stipulation to Continue Case Management
3 Conference and good cause appearing, the Court GRANTS the stipulation to permit the parties to
4 pursue informal resolution of this matter as an alternative to litigation. Accordingly, the Case June 1, 2017
5 Management Conference, currently scheduled for April 27, 2017, is continued to ~~May 25, 2017~~.
6 The Parties shall file a Joint Case Management Conference Statement or dismissal by no later than
7 May 18, 2017.

8 SO ORDERED.

9 Date: 4/20/17
10 _____

